



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.



332686

REPLY TO THE ATTENTION OF.

September 9, 2008

Attn: Mr. Steve Champlin  
Millennium Commercial Properties  
3900 S. Hualapai Way, Suite 200  
Las Vegas, Nevada 89147

Re: Completion of Work for the Vitco Site, Nappanee, Indiana

Dear Mr. Champlin:

On May 8, 2008, the United States Environmental Protection Agency (U.S. EPA) performed a Site Assessment at the Vitco Incorporated Site located at 900 E. Wabash Avenue in Nappanee, Indiana. The Site Assessment confirmed the need to address the potential release of strong acids and bases, oils, laboratory chemicals, and contaminated enamel compounds, in order to protect human health and the environment on and near the Vitco Site. U.S. EPA subsequently reached a verbal agreement with you allowing you to voluntarily perform specified removal activities at the Vitco Site. On June 11, 2008, pursuant to that agreement, you submitted a removal workplan to clean up certain hazardous substances at the Vitco Site. U.S. EPA approved the workplan, as revised, on June 16, 2008. A property survey was conducted and Site cleanup work was initiated on July 24, 2008.

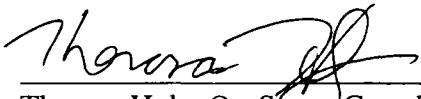
Your contractor has submitted the final manifests documenting their activities at the Vitco Site, as required by the agreement. Based on U.S. EPA contractor oversight of the cleanup activities at the Site, my review of the manifests, and a final inspection of the Site performed on August 1, 2008, I have concluded that you have completed the following work required by the agreement and documented in the Site Assessment Report:

1. Completed the removal and disposed of the contents of all acid vats and tanks, all caustic vats and tanks, inorganic vats, 55 gallon drums containing sodium hydroxide, oil vats and tanks, laboratory chemicals, sludge and decontamination water from the clarifier and pit beneath the clarifier, oil from presses and in vaults underneath presses, overpacked drums of enamel waste solids, waste solids from floors, and soil piles from outside the building. All vats, tanks, and clarifiers were decontaminated with water and the water was disposed of with the associated waste streams.
2. Completed the submittal of manifests as disposal documentation.

This letter is provided solely for informational purposes, and does not provide any release from environmental liability regarding the Vitco Site. Nor does this letter constitute a waiver of any potential future obligations to perform additional work to address the similar or other conditions at the Site. Finally, this letter does not provide any certification that the Site is suitable for a particular use. This letter merely reflects U.S. EPA's determination, based on the information known to date, that the above-noted work, identified by the Site Assessment and required by the verbal agreement, has been completed.

Please contact me at 312-886-6845 or Reginald Pallesen of the Office of Regional Counsel at 312-886-0555 if you have any questions concerning this letter.

Sincerely,

  
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Theresa Holz, On-Scene Coordinator  
USEPA Region 5

cc: Reginald Pallesen, Assoc. Regional Counsel  
Site file